

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
In re:

Chapter 13

PAUL L. SIMON,

Case No. 16-22339(RDD)

Debtor(s).
-----X

DEBTOR LOSS MITIGATION AFFIDAVIT

STATE OF NEW YORK)
)ss.:
COUNTY OF WESTCHESTER)

I, Jennifer Raggo being sworn, say:

I am not a party to this action, am over 18 years of age and reside in Pelham, New York.

On August 5, 2016, I served a Loss Mitigation package with respect to the loan ending in 5928 as per the Creditor Loss Mitigation Affidavit filed on April 8, 2016 including the following:

☒ A copy of the Debtor's tax returns for 2013 (Noted that the Debtor had a conflict with his prior accountant, who is a creditor in his bankruptcy. The Debtor is meeting with his new accountant on Wednesday, August 10, 2016 and the returns for 2014 and 2015 will be forthcoming;);

☐ A copy of the Debtor's recent paycheck stubs;

Or, if Debtor(s) is/are self employed:

☒ A copy of the Debtor's self-employment Profit and Loss Statements, setting forth a breakdown of the monthly income and expenses for the entities: (i) GPF Realty Management, LLC, (ii) Pure Water & Cooler Supply, Inc. and (iii) 54 Dutch Street investment property for the months of June and July 2016 *Noted that if needed, separate reports can be generated;

☒ A copy of the Mortgagee's completed Financial Worksheet;

☐ Proof of Second/Third Party Income;

☒ Other (please specify):

1. Request for Workout Option Form;
2. Borrower's Financial Statement;
3. Monthly Expenditures;
4. UBA Form;
5. 4506-T Form;
6. HAMP Hardship Affidavit;

7. Tompkins Mahopac Bank statements for joint account held by Paul and Denise Simon for account ending in 3355 for the period from May 14, 2016 through July 15, 2016 reflecting pension, SS income and rental deposits;
8. Tompkins Mahopac Bank statements for Pure Water & Cooler Supply, Inc. for account ending in 3860 for the period from June 1, 2016 through July 31, 2016;
9. Tompkins Mahopac Bank statements for GPF Realty Management, LLC for account ending in 4360 for the period from June 1, 2016 through June 30, 2016 reflecting rental deposits
10. Noted that a Social Security award letter for Paul L. Simon was to follow (As noted from the bank statements he receives \$1,877.00 per month);
11. Noted that a Social Security award letter for Denise L. Simon was to follow (As noted from the bank statements she receives \$1,534.00 per month);
12. Noted that Pension information for Denise L. Simon was to follow (As noted from the bank statements she receives \$1,715.89 per month); and
13. Noted that rental information is as follows (there are no lease agreements):
 - a. The Debtor owns a building at 2125 Albany Post Road, Montrose, NY 10548 where he has two tenants that pay \$2,000.00 and \$1,500.00 for a total of \$3,500.00; and
 - b. The Debtor owns an investment property at 54 Dutch Street, Montrose, NY 10548 where he also has two tenants that pay \$1,850.00 and \$1,450.00 for a total of \$3,300.00.

Combined, the Debtor received approximately \$6,800.00 in rental income each month;

upon the following parties via Electronic Mail at the following addresses:

Kathleen Jordan
Charles Higgs
McCabe, Weisberg & Conway, P.C.
123 South Broad Street
Suite 1400
Philadelphia, PA 19109
Kjordan@mwc-law.com
Chiggs@mwc-law.com

Please be advised that the loss mitigation contact is as follows:

Name: Penachio Malara, LLP

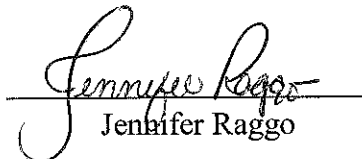
Title: Counsel and Paralegal for Paul L. Simon

Phone Number: (914) 946-2889

Fax Number: (914) 946-2882

Email Address: apenachio@pmlawllp.com, jraggo@pmlawllp.com

Dated: White Plains, New York
August 5, 2016


Jennifer Raggo

Jennifer Raggo

From: Jennifer Raggo
Sent: Friday, August 05, 2016 11:01 AM
To: 'Kathleen Jordan'; 'chiggs@mwc-law.com'
Cc: Anne Penachio; 'fmalara@pmlawllp.com'
Subject: RE: Simon, Paul & Simon, Denise / 16-22339-RDD
Attachments: Simon, Loss Mitigation package .pdf

Dear Ms. Jordan and Mr. Higgs:

As per the Creditor Loss Mitigation Affidavit filed on April 8, 2016, attached hereto is a Loss Mitigation package for the above-referenced debtor including the following:

1. Request for Workout Option Form;
2. Borrower's Financial Statement;
3. Monthly Expenditures;
4. UBA Form;
5. 4506-T Form;
6. HAMP Hardship Affidavit;
7. 2013 tax returns * Please note that the Debtor had a conflict with his prior accountant, who is a creditor in his bankruptcy. The Debtor is meeting with his new accountant on Wednesday and the returns for 2014 and 2015 will be forthcoming;
8. Tompkins Mahopac Bank statements for joint account held by Paul and Denise Simon for account ending in 3355 for the period from May 14, 2016 through July 15, 2016 reflecting pension, SS income and rental deposits;
9. Tompkins Mahopac Bank statements for Pure Water & Cooler Supply, Inc. for account ending in 3860 for the period from June 1, 2016 through July 31, 2016;
10. Tompkins Mahopac Bank statements for GPF Realty Management, LLC for account ending in 4360 for the period from June 1, 2016 through June 30, 2016 reflecting rental deposits
11. Social Security award letter for Paul L. Simon to follow (As noted from the bank statements he receives \$1,877.00 per month);
12. Social Security award letter for Denise L. Simon to follow (As noted from the bank statements she receives \$1,534.00 per month);
13. Pension information for Denise L. Simon to follow (As noted from the bank statements she receives \$1,715.89 per month);
14. Rental information is as follows (there are no lease agreements):
 - a. The Debtor owns a building at 2125 Albany Post Road, Montrose, NY 10548 where he has two tenants that pay \$2,000.00 and \$1,500.00 for a total of \$3,500.00; and
 - b. The Debtor owns an investment property at 54 Dutch Street, Montrose, NY 10548 where he also has two tenants that pay \$1,850.00 and \$1,450.00 for a total of \$3,300.00.Combined, the Debtor received approximately \$6,800.00 in rental income each month;
15. Two months Profit and Loss Statements signed and dated for the months of June and July 2016 reflecting self-employment income for Paul from the following entities:
 - a. GPF Realty (building rental income);
 - b. Pure Water & Cooler; and
 - c. Dutch Street investment property rental income. *If needed, separate reports can be generated.

Absent the items noted, this should fully complete the request. Notwithstanding, please let me know of anything further that is needed for a review.

Thank you and have a nice weekend.

Jennifer Raggo
Paralegal
Penachio Malara, LLP
235 Main Street
White Plains, NY 10601
(914) 946-2889 (Phone)
(914) 946-2882 (Fax)
jraggo@pmlawllp.com

From: Kathleen Jordan [mailto:KJordan@mwc-law.com]
Sent: Wednesday, July 20, 2016 4:38 PM
To: Jennifer Raggo <JRaggo@pmlawllp.com>
Subject: RE: Simon, Paul & Simon, Denise / 16-22339-RDD

Good Afternoon,

Attached please find the Status letter filed in regards to the hearing scheduled for July 27, 2016.

Thank you!



Kathleen Jordan
McCabe, Weisberg & Conway, P.C.
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Philadelphia, PA 19109
KJordan@mwc-law.com
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